

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application.

Claims 1, 3-5, 7-10 and 17 are now present in this application. Claim 1 is independent. By this Amendment, claims 2, 11-16 and 18-20 are canceled, and claims 1, 3, 7, 10 and 17 are amended. No new matter is involved.

Reconsideration of this application, as amended, is respectfully requested.

Personal Interview

Applicants thank Examiner Patel for discussing this case with the Applicants' representative on May 31, 2007. During the discussion, agreement was reached with respect to amendment of claim 1 to patentably define over the applied art.

Entry of Amendment

Applicants respectfully submit that it is proper to enter this Amendment because it amends the claims to patentably define over the applied art and should place the Application in condition for allowance and was not able to be presented prior to the aforementioned interview where an in-depth discussion was had concerning which features of Wunderlich claim language could be construed to read on.

Rejection Under 35 U.S.C. § 102

Claims 1-5, 7-9 and 11-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,327,729 to Wunderlich et al. ("Wunderlich"). This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

This rejection is traversed as moot with respect to claims 2, 11-16, 18 and 19, because those claims have been canceled.

As noted above, agreement was reached with respect to the amendment of claim 1, amended as shown above, to patentably define over the applied art.

Accordingly, withdrawal of this rejection of claims 1-5, 7-9 and 11-19 are respectfully requested.

Rejections under 35 USC § 103

Claims 10 and 20 stand rejected under 35 USC § 103(a) as unpatentable over Wunderlich in view of U.S. Patent 5,709,390 to Faccoli. This rejection is respectfully traversed.

Initially, it is noted that the rejection is moot with respect to claim 20, which has been canceled.

With respect to claim 10, Applicants note that Wunderlich does not disclose the subject matter recited in amended claim 1, from which claim 10 depends, so even if one of ordinary skill in the art were properly motivated to modify Wunderlich, as suggested, the resulting modified version

of Wunderlich would not disclose, suggest, or otherwise render obvious the claimed invention.

Furthermore, the Office Action fails to provide objective factual evidence that one of ordinary skill in the art would be properly motivated to turn to Faccoli to modify Wunderlich, as suggested, because Faccoli is directed to a gasket with a specific size and shape which has not been shown to be useful in Wunderlich in general, or to provide a water seal.

Accordingly, the Office Action fails to make out a *prima facie* case of obviousness of the invention recited in claim 10.

Reconsideration and withdrawal of this rejection of claims 10 and 20 are respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Robert J. Webster, Registration No. 42,476, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

Application No.: 10/722,465
Art Unit 1746

Attorney Docket No. 0465-1100P
Reply to March 14, 2007 Office Action
Page 8

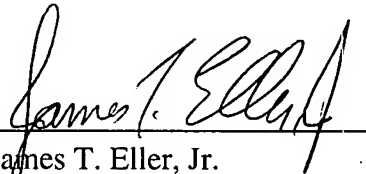
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: June 26, 2007

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By:


James T. Eller, Jr.
Reg. No.: 39,538

JTE/RJW:mmi



P.O. Box 747
Falls Church, Virginia 22040-0747
Telephone: (703)205-8000